

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Jarvis Harris,

Petitioner,

v.

Case No. 1:10cv765

Warden, Hamilton County
Justice Center,

Judge Michael R. Barrett

Respondent.

ORDER

This matter is before the Court on the Report and Recommendation ("R&R") filed by the Magistrate Judge on August 3, 2011 (Doc. 13).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the R&R in a timely manner. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge's R&R have been filed.

Having reviewed this matter *de novo* pursuant to 28 U.S.C. § 636, this Court finds the Magistrate Judge's R&R to be correct. Accordingly, it is **ORDERED** that

1. The August 3, 2011 R&R of the Magistrate Judge (Doc. 13) is hereby **ADOPTED**;
2. Petitioner's petition for writ of habeas corpus (Doc. 3) is **DISMISSED** without prejudice to refiling after petitioner has exhausted his state court remedies
3. This matter shall be **CLOSED** and **TERMINATED** from the docket of this Court.

IT IS SO ORDERED.

/s/ Michael R. Barrett
Michael R. Barrett
United States District Judge